

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JOHN R. NEAL, and)	
LEA ANNE NEAL,)	
)	
Plaintiffs)	
)	No. 1:98-0119
v.)	Judge Campbell/Brown
)	
SJEF JANSSEN,)	
)	
Defendant)	

TO: THE HONORABLE TODD J. CAMPBELL

REPORT AND RECOMMENDATION

The Plaintiffs in this matter filed a two-part motion (Docket Entry 100). The first part requested the Court issue a show cause order as to why the judgment they had previously obtained in this case should not be extended, and the second part was to actually renew the judgment in the matter for an additional 10 years. For the reasons stated below, the Magistrate Judge recommends that judgment in this matter be extended for an additional 10 years.

Background

The background in this case is briefly set forth in the Magistrate Judge's order (Docket Entry 102), which granted the first part of the Plaintiffs' motion and ordered the Defendant to show cause within 30 days why the judgment should not be extended. The Defendant was specifically warned that failure to respond would result in a recommendation that the judgment be extended. Notice

was sent to the Defendant's last known address as well as to the address of the attorneys previously representing the Defendant. As of the entry of this Report and Recommendation no response on behalf of the Defendant has been made.

Legal Discussion

The Plaintiffs have correctly cited the laws and it appears that, in the absence of some showing as to why the judgment should not be extended, that the Plaintiffs are entitled to extend their judgment for an additional 10 years so they may continue to pursue collection activities which to date appears to have been in vain.

Recommendation

For the reasons stated above, the Magistrate Judge recommends that the judgment in this matter be renewed for an additional 10 years as provided for T.C.A. § 28-3-110(2) and Fed. R. Civ. P. 69(a).

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has 14 days from receipt of this Report and Recommendation in which to file any written objections to this Recommendation, with the District Court. Any party opposing said objections shall have 14 days from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within 14 days of receipt of this Report and Recommendation can constitute a waiver of further

appeal of this Recommendation. *Thomas v. Arn*, 474 U.S. 140 106 S.
Ct. 466, 88 L.Ed.2d 435 (1985), *Reh'g denied*, 474 U.S. 1111 (1986).

ENTERED this 18th day of August, 2010.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge